

Judge: Timothy W. Dore  
Chapter: 13  
Hearing Date: December 05, 2018  
Hearing Time: 9:30 a.m.  
Hearing Location:  
U.S. Bankruptcy Court  
700 Stewart St #8106  
Seattle, WA 98101  
Response Date: November 28, 2018

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:

LUU LE,

Debtor(s).

IN CHAPTER 13 PROCEEDING  
NO. 18-13536-TWD

OBJECTION TO MOTION FOR ORDER  
AUTHORIZING WITHDRAWAL OF  
COUNSEL

Jason Wilson-Aguilar, Chapter 13 Trustee, objects to counsel's Motion for Order Authorizing Withdrawal of Counsel (ECF No. 16):

Debtor's counsel requests that the Court allow him to withdraw as counsel for the debtor. There are two mechanisms for withdrawal: substitution and withdrawal under Local Bankruptcy Rule 2089-1(a) and withdrawal under Local Bankruptcy Rule 2089-1(b). The former is not applicable here, as counsel is moving to withdrawal under the latter provision. Withdrawal under the latter provision must be accomplished by approval of the Court.

"The grant or denial of an attorney's motion to withdraw in a civil case is a matter addressed to the discretion of the trial court." *Washington v. Sherwin Real Estate, Inc.*, 694 F.2d 1081, 1087 (7<sup>th</sup> Cir. 1982). Courts may consider

(1) the reasons why withdrawal is sought; (2) the prejudice withdrawal may cause to other litigants; (3) the harm withdrawal might cause to the administration of justice; and (4) the degree to which withdrawal will delay the resolution of the case.

*Kassab v. San Diego Police Department*, No. 07cv1071 2008 WL 251935, at \* 1 (S.D. Cal. Jan. 29, 2008 (citation omitted)).

OBJECTION TO MOTION FOR ORDER  
AUTHORIZING WITHDRAWAL OF  
COUNSEL - 1

Chapter 13 Trustee  
600 University St. #1300  
Seattle, WA 98101  
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1 Counsel does not cite any reason why he needs to withdraw as counsel for the debtor.  
2 While the Trustee certainly does not intend to intrude on the attorney-client relationship, he is  
3 concerned about the basis (or lack thereof) for the motion. Moreover, the debtor's case generally  
4 and schedules specifically have many problems. *See Trustee's Objection to Confirmation (ECF*  
5 *No. 13)*. Counsel has represented the debtor in three Chapter 13 bankruptcy cases (Case No. 14-  
6 13946-MLB; Case No. 14-14389-TWD; and the present case) and it is somewhat concerning that  
7 the debtor's current case has so many problems that should have or could have been addressed at  
8 the outset of the case. Given the problems with the debtor's case, it would be concerning if the  
9 debtor has to proceed without counsel. In any event, the Trustee raises these concerns for the  
10 Court's consideration.

11 WHEREFORE, the Chapter 13 Trustee requests that the Court deny the Motion for Order  
12 Authorizing Withdrawal of Counsel.

13  
14 Dated this 6th day of November 2018

15 /s/ Jason Wilson-Aguilar, WSBA #33582 for  
16 JASON WILSON-AGUILAR  
17 Chapter 13 Trustee  
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